DEPARTMENT OF THE NAVY
CRANE DIVISION
NAVAL SURFACE WARFARE CENTER
300 HIGHWAY 361
CRANE INDIANA 47522-5001

IN REPLY REFER TO:
5720
00L/17F008.2
May 8, 2017

Mr. Christian Stork
University of California, Berkeley
121 North Gate Hall, #5860
Berkeley, CA 94720

Dear Mr. Stork:

This letter in is final response to your Freedom of Information Act (FOIA) request received at Naval Surface Warfare Center, (NSWC) Crane Division on December 16, 2016. Your request indicated that you are seeking, "the Justification and Approval (J&A) authorizing the award, on a sole source basis, of the following contract by your office. IDVPIID: N0016412DWT95 Procurement Instrument Identifier: 2 Modification Number: 1 Date Signed: May 1, 2013 Vendor Name Ticom Geomatics, Inc. Vendor DUNS: 121387190." Your request was assigned local Case File Number 2017-F-008. As a member of an educational institution, no fees were assessed with the processing of this request.

One responsive documents was located and was redacted consistent with two applicable FOIA exemptions at 5 U.S.C. § 552(b) Exemption 4 and Exemption 6. Exemption (b)(4) protects commercial or financial information received from a private source when disclosure is likely to cause substantial competitive harm to the source. Exemption (b)(6) exempts personal information from release which, if released would result in a clearly unwarranted invasion of personal privacy. Each redaction has been annotated to show the applicable FOIA exemption.

If you have any questions concerning this letter, you may contact me at (812) 854-8725 or by email at monica.l.queen@navy.mil.

Sincerely,

MONICA L. QUEEN
By direction

Enclosure

NECO Synopsis Database DETAIL

JUSTIFICATION & APPROVAL NOTICE	
J&A Statutory Authority:	FAR 6.302-1 - Only one responsible source (except brand name)
Subject:	58--INDEFINITE DELIVERY INDEFINITE QUANTITY CONTRACTS FOR REPAIRS OF REMOTE PROCESSING UNITS
Synopsis Date:	Sep 26, 2012
Contracting Office Address:	N00164 NAVAL SURFACE WARFARE CENTER, INDIANA 300 Highway 361, Building 64 Crane, IN
NAICS Code:	334511 Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing
Solicitation Number:	N0016412RWT95
Related Notice:	PRESOLICITATION NOTICE
Archive Date:	Oct 15, 2012
Contact Points:	[redacted] (b)(6)
Contract Award Number:	N0016412DWT95
Contract Award Date:	SEP 24, 2012
Email:	POINT OF CONTACT
File Attachment:	N0016412DWT95_N00164_12007_NECO.pdf

DEPARTMENT OF THE NAVY
CRANE DIVISION
NAVAL SURFACE WARFARE CENTER
300 HIGHWAY 361
CRANE, INDIANA 47522-5000

IN REPLY REFER TO:

J&A# 12-007
Code CXMN
P.R. N00164-12-R-WT95

JUSTIFICATION AND APPROVAL (J&A)
FOR USE OF OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity.

Naval Surface Warfare Center Crane Division (NSWC Crane), Contracts Division (CXM)

2. Description of the Action Being Approved.

The use of other than full and open competition to procure repairs associated with a Remote Processing Unit (RPU). The RPU part numbers associated with this action are 6000-0003, 6000-0040 and 6000-0049.

Vendor Name (Source of Supply)
TICOM-Geomatics
9130 Jollyville Rd #300
Austin, TX 78759-7482
Cage Code: 3B9B4

3. Description of Supplies/Services.

The required supplies covered under this J&A are for the procurement of repairs associated with the specified RPU part numbers. The RPU part numbers 6000-0049, 6000-0040, and 6000-0003 are components of the Navy Hostile Intercept Targeting System (HITS) Geo-location System. This system is designed to provide precision geo-location for targeting, utilizing air, surface and subsurface platforms by receiving and correlating signals from multiple security enclaves that work in conjunction with the Special Projects Aircraft (SPA) and the EP-3 aircraft. The TICOM-Geomatics RPU was used as a baseline for the HITS system integration and was procured under a NAVAIR contract. The purpose of this effort is to repair the three RPU configurations on the SPA and EP-3 aircraft. This equipment is utilized on the P-3 SPA and EP-3 aircraft, which is currently deployed in theater of operations. This equipment must integrate with existing configuration of the aircraft in terms of form, fit, function and compatibility.

The Government's minimum needs have been verified by the technical and requirements personnel.

This contract will be funded with appropriations from Aircraft Procurement-Navy (APN-6). The exact amount of funding will be dependent on mission requirements and programmatic decisions.

TICOM Geomatics P-3 Support Funding Estimate
Estimated Dollar Value

	FY12 QTR 3 & 4	FY13	FY14	FY15	FY16	FY17 QTR 1 & 2	Total
APN	(b)(4)						$1,500,000
TOTAL							$1,500,000

4. Statutory Authority Permitting Other Than Full and Open Competition.

10 U.S.C. 2304(c)(1), Only one responsible source.

5. Rationale Justifying Use of Cited Statutory Authority.

Lockheed Martin Corporation designed and produced the basic P-3C aircraft. Unique Special Missions Equipment (SME) avionics components were commercially procured from various Original Equipment Manufacturer (OEM) entities, including TICOM-Geomatics.

The Government does not own nor possess the necessary Level III hardware or software documentation necessary for full and open competition for this TICOM Geomatics equipment. Due to the special nature of the EP-3 aircraft, the Department of Defense (DOD) and SPA Program Office determined the program would be a non-Acquisition Category (ACAT) interim-for-life enterprise and necessary non-governmental support would be procured from the individual OEMs.

TICOM-Geomatics is unwilling to sell the data rights to the Government and is the only source that possesses the technical data and approved flight clearance to manufacture the specific system for the Special Missions platforms. If another vendor were to perform the tasks identified in the J&A, the cost to re-tool, reverse engineer, generate Acceptance Test Procedures, perform first article testing, acquire flight certification and perform electrical load analysis would be approximately $2,940,894.40 in additional costs and take 36 to 60 months to deliver. This cost does not include replacement of the existing [redacted (b)(4)]. Costs for a single unit include the following.

Description	Cost
Re-tool of Line	$ 78,000.00
Reverse Engineer and Test Procedures	$ 2,100,000.00
First Article of Test	$ 380,000.00
Tempest Certification	$ 204,000.00
Electrical Load Analysis	$ 68,000.00
Stress Analysis	$ 14,000.00
Publications/Reoccurring Costs	$ 18,000.00
NSA Certification	$ 78,894.40
Total:	$ 2,940,894.40

The Government estimates it would require 24 to 36 months to perform reverse engineering and up to six months for certification of this equipment to have it ready for install. In five (5) years this SME equipment will be replaced, therefore, efforts to procure any further parts and support for these assemblies from any other source would be expending time, effort and dollars for no appreciable benefit or gain to the Government and would take away from an ongoing effort to replace the unit at the predicted end of life of 2017.

The P-3 Derivative SPA and EP-3 assets are [redacted]. These assets are called upon to provide an agile, quick reaction capability in support of an annual operational requirement of [redacted (b)(4)]. The time and costs associated with the development of alternate sources for SPA and EP-3 SME component support would negatively impact current and future SPA and EP-3 mission requirements.

Mission impact: Mission aircraft are sought after for the [redacted] due to capabilities of the platform. Operational commanders plan around the mission availability of SPA and EP-3 platforms. Loss of this platform will have an immediate and direct impact on the [redacted] and the lives of the men and women put in harm's way.

6. Description of Efforts Made to Solicit Offers from as Many Offerors as Practicable.

The proposed contract was synopsized on the FEDBIZOPS website on 16 November 2011. No further market research was conducted because it is not practicable for the reasons discussed in Paragraph 5 above, for any company other than TICOM Geomatics to provide the required supplies and services.

Results: No other vendor expressed an interest. MF

Market research revealed another firm that makes a similar product. (b)(4) (b)(4) has the capability to manufacture a like item, but its system will not integrate with existing equipment in terms of form, fit, function and compatibility. Research and development money would be required in excess of the procurement cost of the TICOM-Geomatics RPU, estimated at $2,940,894.40. The government does not have the money to qualify another vendor. In addition this system is scheduled for replacement at the predicated end of its life in 2017.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer will determine the anticipated costs to the Government covered by this J&A as fair and reasonable prior to award.

8. Actions to Remove Barriers to Future Competition.

It is noted that this planned Indefinite Delivery Indefinite Quantity contract will be used for sustainment of the system till replacement system can be competitively procured in 2017.

TECHNICAL/REQUIREMENTS CERTIFICATION (FAR 6.303-2(b))

I certify that the facts and representations under my cognizance, which are included in this justification and its supporting data, including Acquisition Plan No. 290-E3-501, except as noted herein, are complete and accurate to the best of my knowledge and belief.

(b)(6) 15 Dec 11
Date

REQUIREMENTS COGNIZANCE:

(b)(6) 12-15-2011
Signature Name (Print) and Title (Code) Phone No. Date

LEGAL SUFFICIENCY REVIEW (NMCAG 5206.303(90))

(b)(6) 12/20/11
Date

CONTRACTING OFFICER CERTIFICATION (FAR 6.303-2(a)(12))

I certify that this justification is accurate and complete to the best of my

(b)(6) 12/20/11
Date

APPROVAL BLOCK (FAR 6.304 for Approving Official)

Upon the basis of the above justification, I hereby approve, as Competition Advocate for the Contracting Activity, the solicitation of the proposed procurement(s) using other than full and open competition, pursuant to the authority of 10 U.S.C. 2304(c)(1).

NSWC CRANE COMPETITION ADVOCATE APPROVAL

(b)(6) 20 Dec 2011
Date

(b)(6) 3/3
Date